

20-mj-808 BRT

STATE OF MINNESOTA

ss. AFFIDAVIT OF SARA R. THOMAS

COUNTY OF RAMSEY

I, Sara R. Thomas being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), and have been so employed since December 2016. I was previously assigned to ATF Atlanta Field Division’s Firearms Trafficking Group, which specialized in criminal investigations related to the movement of firearms from the legal market to the illegal market. Since September 2018, I have been assigned to the ATF St. Paul Field Division, where I am involved in various facets of ATF’s enforcement programs. Before I joined ATF, I served as a sworn law enforcement officer with other agencies and departments, holding this title since 2007.

2. During my time with ATF, I have investigated multiple cases falling within ATF’s Arson and Explosives jurisdiction. I have received a significant amount of training on the subject-matter over which the ATF holds jurisdiction. This training included four weeks at the ATF National Academy and over four weeks of separate training on ATF’s Arson and Explosives mission. Additionally, I have participated in advanced explosives training at the National Center for Explosives Training Research (NCETR) in Huntsville, Alabama, which focused on improvised explosives devices. I have further attended advanced explosives training at New Mexico

Tech Energetic Materials Research and Training Center, which focused on homemade explosives and various responses to a variety of bombing incidents.

3. The facts in this affidavit are based on my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant, and does not set forth all of my knowledge about this matter.

4. This affidavit is being submitted in support of the criminal complaint for LEROY LEMONTE PERRY WILLIAMS (DOB: XX/XX/1986).¹ Based on my training and experience and the facts set forth in this affidavit, I respectfully submit that there is probable cause to believe that WILLIAMS attempted to commit arson in violation of 18 U.S.C. § 844(i) (arson).

FACTS ESTABLISHING PROBABLE CAUSE

Case History

5. On August 26, 2020, Minneapolis experienced arson, rioting, and vandalism of numerous business. The arson, rioting, and vandalism was, in part, a response to the death by suicide of a suspect in a homicide that occurred at approximately 2:00 p.m. on the same date. When officers approached the suspect at approximately 6:30 p.m., he committed suicide on the 800 block of Nicollet Mall in downtown Minneapolis.

¹ I have partially redacted the dates of birth of person(s) listed herein pursuant to local rules. The full dates of birth are known to me and will be made available to the Court on request.

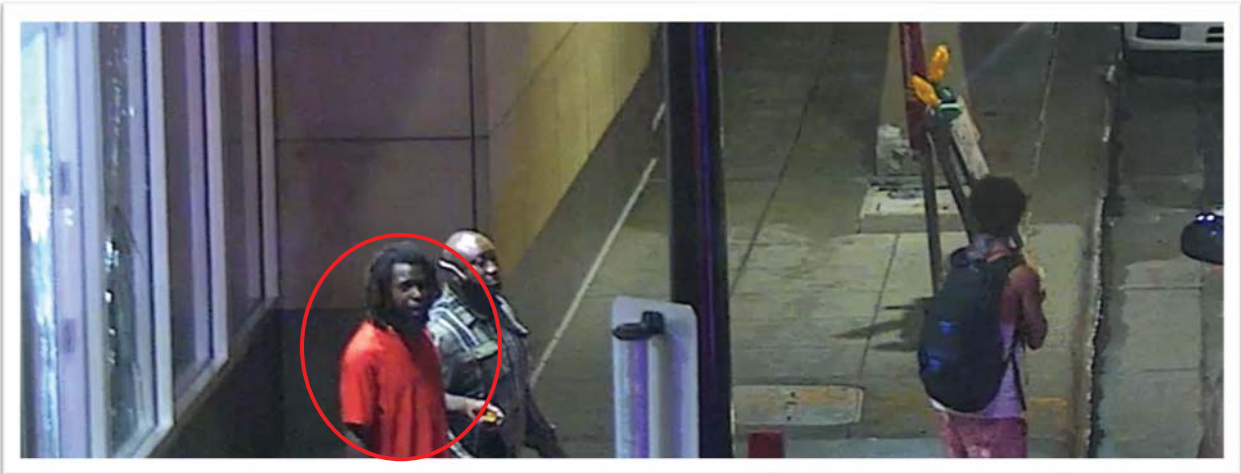
6. The arson, rioting, and vandalism that followed was concentrated in downtown Minneapolis, particularly in the Nicollet Mall area. One of the businesses set on fire was the Target Headquarters building, located at 1000 Nicollet Mall.

The Target Headquarters Arson

7. At approximately 10:53 p.m., Minneapolis City surveillance video captured a black male with shoulder length hair, who was wearing a red shirt, red shoes, black socks, and tan pants, walking north on 10th Street South towards LaSalle Avenue in downtown Minneapolis. This individual was later identified as WILLIAMS. Directly in front of WILLIAMS was a group of people surrounding a Target Headquarters building door on 10th Street South, between LaSalle Avenue and Nicollet Mall.

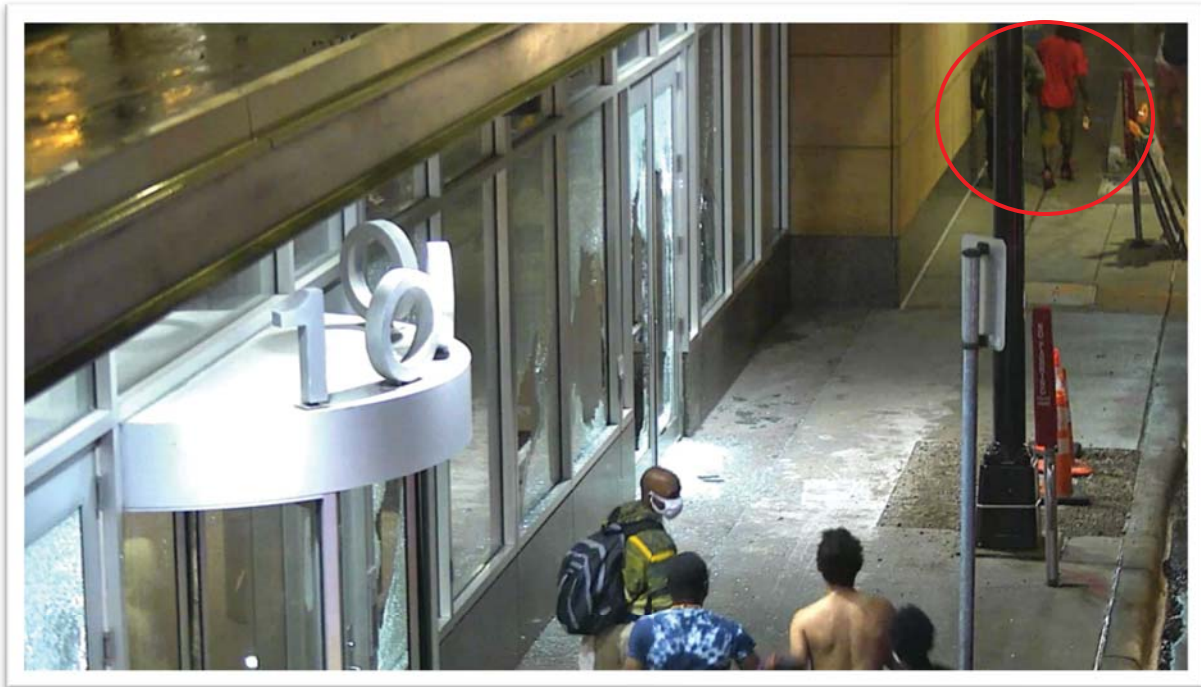


8. At approximately 10:54 p.m., City of Minneapolis surveillance video showed WILLIAMS turn around and walk south on 10th Street South towards Nicollet Mall. WILLIAMS had a bottle in his right hand. WILLIAMS also had a mask and yellow/orange object, suspected to be a lighter, in his left hand.



9. City of Minneapolis surveillance video footage showed WILLIAMS look towards the commotion occurring in front of the Target Headquarters door.

10. WILLIAMS then walked towards the crowd surrounding the Target Headquarters building entrance.

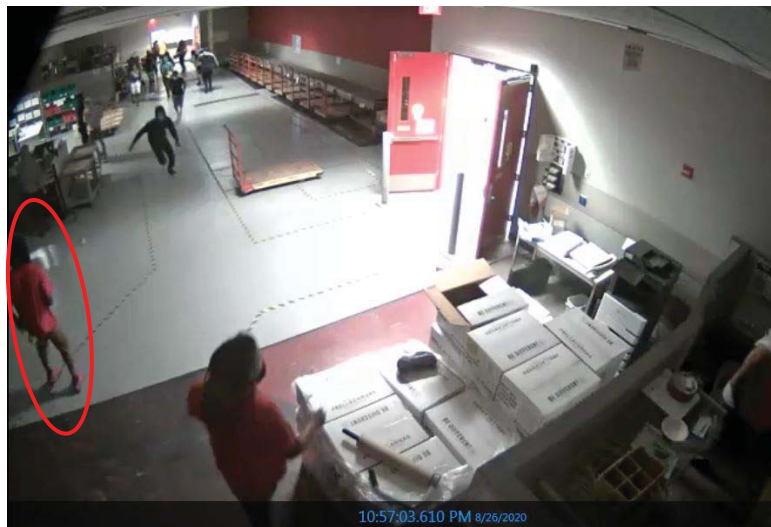


11. At approximately 10:55 p.m., Target Headquarters surveillance video showed an individual later identified as Shador Tommie Cortez Jackson² use a “Sidewalk Closed” construction sign to break through one of the glass doors into the Target Headquarters building entrance located on 10th Street South between LaSalle Avenue and Nicollet Mall. A second unidentified individual broke into the second door, allowing access into the building. As the doors were being smashed, a crowd surrounded them. Target surveillance video showed WILLIAMS standing in the crowd, outside of the Target Headquarters door as the interior vestibule door was being broken.

² I arrested Jackson for committing Arson pursuant to a federal complaint on September 10, 2020. (See Docket No. 20-mj-681 (TNL)).



12. Target Headquarters surveillance video showed WILLIAMS enter the building through the broken doors at 10:56 p.m. Interior Target Headquarters surveillance video showed WILLIAMS inside of the building while it was being set on fire by Jackson and looted by other unidentified individuals.



13. Target Headquarters interior and exterior surveillance video showed the crowd run out of the building at approximately 11:00 p.m. and 11:01 p.m.

14. At approximately 11:02 p.m., City of Minneapolis video surveillance showed WILLIAMS walking south on 10th Street South. Jackson and Victor Devon

Edwards (DOB: XX/XX/1989) were walking behind WILLIAMS.



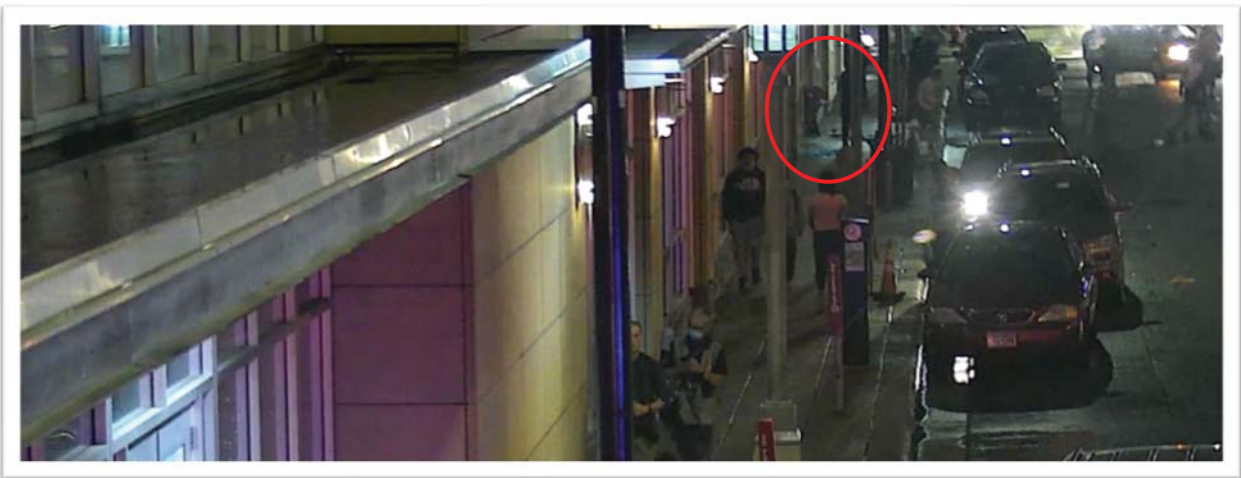
15. At approximately 11:03 p.m., City of Minneapolis video surveillance showed WILLIAMS turn around and walk north on 10th Street South, towards the Target Headquarters door.

16. At approximately 11:06 p.m., City of Minneapolis and Target Headquarters video surveillance showed WILLIAMS pick up a cardboard box and attempt to light it on fire using a device that produced a flame consistent with a lighter. Several flashes were observed.





17. City of Minneapolis and Target Headquarters video surveillance footage showed WILLIAMS walk over to the Target Headquarters door and lean inside. WILLIAMS put the lit cardboard and other combustibles in the vestibule area inside of the Target Headquarters building.



18. City of Minneapolis and Target Headquarters video surveillance footage showed WILLIAMS then stand with his back toward the door, looking around.



19. City of Minneapolis and Target Headquarters video surveillance footage showed WILLIAMS lean back inside of the door and make additional attempts to reignite the cardboard and combustibles on fire.





20. At approximately 11:08 p.m., City of Minneapolis and Target Headquarters video surveillance footage showed an unidentified white male confront WILLIAMS while WILLIAMS was inside the doorway, attempting to set fire to the cardboard inside of the vestibule area. WILLIAMS responded aggressively to the unidentified male and shoved him several times.





21. At 11:10 p.m., City of Minneapolis and Target Headquarters video surveillance footage showed WILLIAMS make several more additional attempts to start a fire inside of the vestibule area.

22. At 11:15 p.m., City of Minneapolis and Target Headquarters video surveillance footage showed WILLIAMS enter the vestibule area.

23. At 11:17 p.m., City of Minneapolis video surveillance showed WILLIAMS walk south on 10th Street South, away from the doorway, towards Nicollet Mall.



The Identification of WILLIAMS

24. On September 24, 2020, ATF released photographs of individuals suspected of arson. The release included photographs of suspect “TGT-01” from the Target Headquarters arson on August 26, 2020:



25. Three independent sources contacted ATF and identified suspect “TGT-01” as WILLIAMS.

26. On September 25, 2020, a member of Target’s Loss Prevention Team (Target LPT) contacted the ATF St. Paul Field Office. The Target LPT employee worked at the Target retail store, located at 900 Nicollet Mall in Minneapolis. The employee identified the individual in the above images as WILLIAMS.

27. The employee informed me that WILLIAMS was a frequent shoplifter and trespasser at the Target retail store. The employee’s security team had encountered WILLIAMS in excess of fifty times and had to kick him out of their store or arrest him on several occasions. I requested and reviewed security records from the Target retail store regarding WILLIAMS, and confirmed that WILLIAMS is

frequently present at the Target retail store. In addition, I reviewed Minneapolis Police Department (MPD) records for WILLIAMS, which list his home address as XXXX³ Nicollet Avenue in Minneapolis from at least June 2018 through May 2020. This address is approximately 1.3 miles from the Target retail store located at 900 Nicollet Mall.

28. Also on September 25, 2020, Hennepin County Sheriff's Office (HCSO) Criminal Information Analyst Nicole Hughes provided me with a Facebook video related to this investigation. The video showed WILLIAMS in Minneapolis on August 26, 2020, at approximately 7:55 p.m.

29. The Facebook video was posted by Facebook user "Troy Hardbody East" and streamed live on August 26, 2020, starting at 7:42 p.m. Troy Hardbody East was identified as Latroy East (DOB: XX/XX/1990). The associated link to the video was <https://www.facebook.com/troy.h.east/videos/3574840775884115>. HCSO Analyst Hughes recorded the video as it was streamed live.

30. On September 26, 2020, I reviewed the video. The video was timestamped 7:42 p.m. A black male with shoulder length hair, a tattoo below his right eye and a red shirt was shown approximately thirteen minutes into the video (7:55 p.m.) The male was visually similar in physical appearance and attire to WILLIAMS.

³ I have partially redacted WILLIAMS' home address pursuant to local rules. The full address is known to me and will be made available to the Court on request.



31. Analyst Hughes identified the male as WILLIAMS. The identification was made by using investigative imaging technology to develop leads and narrowing those lead results by looking for the matching tattoo near the subject's right eye. Analyst Hughes provided me with a booking photograph of WILLIAMS taken in May 2020. The booking photograph was visually similar to the suspect "TGT-01" from the Target Headquarters arson on August 26, 2020.



32. On October 1, 2020, MPD Officer Sergio Villegas informed me that a Speedway Gas Station, located at 101 Grant Street West in Minneapolis, was burglarized on the night of the arson, August 26, 2020. The burglary occurred at approximately 9:00 p.m. Officer Villegas informed me that one of the suspects in the Speedway burglary strongly resembled suspect “TGT-01.” I obtained a copy of MPD Incident Report 20-223050 related to the burglary and photographs of the suspects in their case.



33. A review of the Speedway surveillance video showed that the suspect in the Speedway burglary was a black male who had a muscular build with shoulder length hair. He was wearing a red shirt, black face mask, gold necklace, and tan shorts.

34. Officer Villegas identified the suspect in the Speedway burglary as WILLIAMS due to previous MPD interactions with him. Officer Villegas informed me that WILLIAMS was highly recognizable because of his hair, walk, and stature.

35. While reviewing the MPD Incident Report and suspect photographs of the Speedway burglary, I recognized Speedway burglary suspects from City of Minneapolis surveillance camera footage. City surveillance video from August 26, 2020, at approximately 11:17 p.m., showed WILLIAMS and another suspect from the Speedway burglary walking in front of Target Headquarters at 1000 Nicollet Mall.



The Arson Determination by ATF

36. On August 27, 2020, ATF Special Agent Certified Fire Investigator (SACFI) Nicole Hajny and Minneapolis Fire Department Investigator Larry Oker

examined the fire scene located at 1000 Nicollet Mall. At the time of the initial fire scene examination, Investigator Oker identified a single area of origin near the mailroom entrance related to the separate fire set in that area on the evening of August 26, 2020. Investigator Oker classified the fire as “incendiary” (i.e. arson). The arson near the mailroom entrance has been attributed to Jackson and Edwards, both of whom face criminal charges for that arson, and likely did not involve WILLIAMS.

37. Following subsequent review of the Target surveillance video footage, ATF Special Agent Certified Fire Investigator (SACFI) Nicole Hajny identified a second area of origin of the fire inside the building. After reviewing the surveillance video, SACFI Hajny determined that a second fire was set inside of the building at the front entrance vestibule area. The review of the surveillance video revealed WILLIAMS making multiple attempts at igniting available combustibles inside the vestibule of the mailroom entrance. At one point, the available combustibles appeared to sustain a flame, as WILLIAMS set them down on the floor inside of the building. The surveillance video then showed that the fire appeared to extinguish or diminish. WILLIAMS then made additional attempts to ignite the combustibles. Based on her examination of the video, SACFI Hajny classified this incident as “incendiary” (i.e. arson). This second fire has been attributed to WILLIAMS, and likely did not involve Jackson and Edwards.

The Target Headquarters Building and Interstate Nexus

38. Target Corporation is a large corporation with its corporate headquarters in Minneapolis, Minnesota. Target has numerous retail outlets throughout the United States. Target sources some of its inventory from outside the United States, including Guatemala, China, and India.

39. Target corporate headquarters is located in two adjacent buildings, Target Plaza South and Target Plaza North. The buildings are connected via skyway. The buildings cover two city blocks, and extend to the area of 10th Avenue South and LaSalle Avenue. A Target retail store is located one block away on 9th Avenue, which also can be reached via skyway. That retail store was looted during the civil unrest described above.

40. The mailroom receives a high volume of mail and merchandise samples from vendors. These samples are provided to employees, housed in Target Headquarters, for evaluation to determine whether those items will be sold in Target retail stores.

41. Furthermore, Target stock is traded on major U.S. stock exchanges. In short, Target Headquarters in Minneapolis is a building used in interstate and foreign commerce and in activities affecting interstate and foreign commerce.

CONCLUSION

42. Based on these facts, I believe there is probable cause that WILLIAMS has violated Title 18, United States Code, Section 844(i), in that he attempted to maliciously damage by means of fire the Target Headquarters building located at

1000 Nicollet Mall, Minneapolis, Minnesota, a building used in interstate and foreign commerce and in activities affecting interstate and foreign commerce.

Further Your Affiant Sayeth Not.

A handwritten signature in black ink, appearing to read "Sara R. Thomas", written over a horizontal line.

Sara R. Thomas
ATF Special Agent

SUBSCRIBED and SWORN to before me by reliable electronic means (FaceTime and email) pursuant to Fed. R. Crim. P. 41(d)(3) on this 4th day of November, 2020.

A handwritten signature in blue ink, appearing to read "Becky R. Thorson", written over a horizontal line.

The Honorable Becky R. Thorson
United States Magistrate Judge